

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CASE NO. 2:21-cr-00173-MHT
)
WILLIAM KYLE RICHARDS)

FINAL ORDER OF FORFEITURE

Before the court is the government's motion for a final order of forfeiture (Doc. 134) filed on April 12, 2022.

On November 30, 2021, this court entered a preliminary order of forfeiture (Doc. 90) ordering defendant William Kyle Richards to forfeit his interest in an American Tactical Imports, model Omni Hybrid Maxx, multi-caliber rifle, bearing serial number NS053166 and assorted ammunition.*

Publication of notice was not required pursuant to Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions as the property is worth less than \$1,000, and the only potential claimants are the defendant and James Austin Johnson. The government gave defendant notice in the indictment that it would seek the forfeiture of any and all property constituting or derived from proceeds defendant obtained directly or indirectly, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses in violation of 18 U.S.C. §§ 922(g)(1) and 924(c)(1)(A)(i), and 21 U.S.C. § 841(a)(1).

* The investigating agency has since informed the government that no ammunition was seized. Therefore, the only property to be forfeited is the American Tactical Imports, model Omni Hybrid Maxx, multi-caliber rifle, bearing serial number NS053166.

On December 7, 2021, notice of this forfeiture was served on James Austin Johnson. *See* Process Receipt and Return (Doc. 101). No petition of interest was filed within the required 35-day period. Therefore, any third-party interests are barred for failure to file a timely petition.

The court finds that the defendant has an interest in the property that is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) by 28 U.S.C. § 2461(c), and that the government has established the requisite nexus between the property and such offenses in violation of 18 U.S.C. §§ 922(g)(1).

Accordingly, it is hereby ORDERED that the motion for a final order of forfeiture (Doc. 134) is GRANTED as follows:

1. The following property is hereby forfeited to the United States pursuant to pursuant to 21 U.S.C. § 853 and 18 U.S.C. §§ 981(a)(1)(C) and 924(d)(1) by 28 U.S.C. § 2461(c): **an American Tactical Imports, model Omni Hybrid Maxx, multi-caliber rifle, bearing serial number NS053166.**

2. All right, title, and interest to the property described above is hereby condemned, forfeited, and vested in the United States and shall be disposed of according to law.

3. The United States District Court shall retain jurisdiction in the case for the purpose of enforcing this order.

4. The clerk of the court shall forward a certified copy of this order to the United States Attorney's Office.

DONE, this the 27th day of April, 2022.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE